

Message

**From:** Starfield, Lawrence [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=8A89D6CD217D4254A5879ABECB3F314E-STARFIELD, LAWRENCE]  
**Sent:** 1/28/2021 6:59:12 PM  
**To:** Hull, George [Hull.George@epa.gov]  
**Subject:** RE **Ex. 5 Deliberative Process (DP)**

Looks good.

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**From:** Hull, George <Hull.George@epa.gov>  
**Sent:** Thursday, January 28, 2021 12:58 PM  
**To:** Starfield, Lawrence <Starfield.Lawrence@epa.gov>  
**Subject:** **Ex. 5 Deliberative Process (DP)**

Larry,

The reporter had a follow up question. He asked why 2015 was chosen as a baseline for expected emissions reductions. Greg Fried provided the draft response, below, for your review and approval. Thanks, George

Draft response:

2015 was selected as the baseline for measuring emissions decreases because it corresponds to the time when EPA initiated the enforcement action and also when Dow began taking steps to address the noncompliance identified by EPA.

From the reporter:

Also, on p. 3. of the proposed consent decree (excerpt attached), the text indicates that the expected emissions reductions are being measured against a 2015 baseline. Why was that date chosen, as opposed to starting from now? (If there's something elsewhere in the proposed CD that addresses that question, please let me know.)

Between January 1, 2015 and full implementation of the Consent Decree's compliance requirements, EPA estimates that emissions from the Covered Flares will be reduced by approximately the following amounts (in tons per year or TPY):

<u>Pollutant</u>	<u>Amount in TPY (2015 – through implementation)</u>
VOCs	5,689
Carbon Dioxide Equivalents (CO <sub>2</sub> e)	517,423
HAPs	480
Nitrogen Oxides (NOx)	127

Implementing the Consent Decree's compliance requirements will also reduce carbon monoxide (CO) from the Covered Flares;

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**From:** Starfield, Lawrence <Starfield.Lawrence@epa.gov>  
**Sent:** Wednesday, January 27, 2021 4:59 PM  
**To:** Hull, George <Hull.George@epa.gov>  
**Subject:** RE: Inquiry on Dow Press Release

Perfect. Thanks.

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**From:** Hull, George <Hull.George@epa.gov>  
**Sent:** Wednesday, January 27, 2021 4:51 PM  
**To:** Starfield, Lawrence <Starfield.Lawrence@epa.gov>  
**Subject:** **Ex. 5 Deliberative Process (DP)**

## Ex. 5 Deliberative Process (DP)

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**From:** Starfield, Lawrence <Starfield.Lawrence@epa.gov>  
**Sent:** Wednesday, January 27, 2021 4:16 PM  
**To:** Hull, George <Hull.George@epa.gov>  
**Subject:** **Ex. 5 Deliberative Process (DP)**

## Ex. 5 Deliberative Process (DP)

What do you think?

Larry

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**From:** Hull, George <Hull.George@epa.gov>  
**Sent:** Wednesday, January 27, 2021 4:09 PM  
**To:** Starfield, Lawrence <Starfield.Lawrence@epa.gov>  
**Subject:** **Ex. 5 Deliberative Process (DP)**

Larry,

OPA has sent out the **Ex. 5 Deliberative Process (DP)**. E&E news contacted OPA to ask why we lodged a week late. Here is a draft response for your consideration. --George

"The Consent Decree for this settlement was filed on January 19, 2021. Due to the inauguration, EPA delayed announcing the settlement until today."